

Message Text

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PAGE 01 LA PAZ 04478 091650Z
ACTION SCSE-00

INFO OCT-01 ARA-14 ISO-00 L-03 H-02 DHA-02 SSO-00
SNM-02 DEAE-00 SCA-01 /025 W
-----091701Z 003813 /50
O 091635Z JUN 77
FM AMEMBASSY LA PAZ
TO SECSTATE WASHDC IMMEDIATE 5722

UNCLAS LA PAZ 4478

EO 11652: NA
TAGS: CASC, SNAR, BL
SUBJECT: AMERICAN PRISONERS

REF: LA PAZ 4289, STATE 132092, LA PAZ 3850

1. I TALKED WITH MINISTER OF INTERIOR, GENERAL JUAN PEREDA, AT 1830 JUNE 8 ABOUT U.S. PRISONERS. I REFERRED TO MY LETTER OF MAY 26 LISTING ACTIONS I HOPED COULD BE TAKEN BY FISCALES, JUDGES, AND GOB. (N.B. NOT ALL MATTERS SUBJECT TO HIS DIRECT AND FULL CONTROL). I SAID PARENTS, INTERESTED CONGRESSIONAL PERSONNEL, AND DEPARTMENTAL OFFICERS HOPING FOR TANGIBLE ACTIONS SUCH AS SENTENCING OR REVIEWS OF SENTENCES BEFORE START OF LA PAZ COURT RECESS. (PLEASE NOTE - BOTH LOWER AND SUPERIOR COURTS - LA PAZ ONLY - CLOSED FROM JUNE 13 TO JULY 8; SUPREME COURT IN SUCRE, AND COURTS IN COCHABAMBA AND SANTA CRUZ REMAIN OPEN.)

2. MINISTER SAID HE FELT MANY ACTIONS HAD BEEN TAKEN AS RESULT HIS PERSONAL INTERCESSION MAY 26 AND MAY 27. HE NOTED MOVEMENT OF CASES FROM FICALES (UNDER HIS CONTROL) TO JUDGES. I SAID THAT WE APPRECIATED THIS BUT INTERESTED PERSONS WERE AWAITING MAJOR ACTIONS. HE SAID HE UNDERSTOOD AND WOULD PROMPTLY MEET WITH SUB-SEC JUSTICE, DR. BALLIVIAN, TO TRY TO PUSH FINAL STAGES OF CASES ON FRIDAY JUNE 10.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 LA PAZ 04478 091650Z

3. MEANTIME WE ARE SEEKING APPOINTMENT WITH BALLIVIAN TO GO OVER WHAT COULD BE DONE FRIDAY. OUR CONCLS AND ATTORNEYS HAVE BEEN IN TOUCH WITH JUDGES EVERY DAY THIS WEEK PUSHING. WE WILL REDOUBLE EFFORTS FRIDAY MORNING.

4. WE INTEND SEND WRAP-UP REPORT WITH STATUS CERTAIN CASES C.O.B. FRIDAY.

5. BELIEVE DEPT SHOULD TRY TO CONVINCE PARENTS AND INQUIRERS THAT COURT RECESS DOES NOT MEAN ALL IS LOST NOR IS IT IN EVERY CASE A MONTH LOST. EVERY SENTENCE HAS TO BE REVIEWED BY SUPERIOR COURT WHICH SHOULD BE BETTER STAFFED AND ORGANIZED AT START OF NEXT COURT CALENDAR. AS RESULT OUR COMMUNICATION TO CHIEF, SUPREME COURT, HE HAS WRITTEN TO SUPERIOR COURTS URGING PROMPT ACTION NARCOTICS CASES AND HAS CITED ARTICLE 105 OF NEW NARCOTICS LAW AS SPUR. THAT MENTIONS SANCTIONS IF JUDGES DO NOT CONFORM TO PRECEPTS OF LAW FOR HANDLING CASES. DURING RECESS WE INTEND CONCENTRATE ON COCHABAMBA AND SANTA CURZ CASES AND ON IMPROVING STRATEGY FOR LA PAZ CASES. WE WILL, OF COURSE, CONTINUE WEEKLY JAIL VISITS IN LA PAZ TO DO WHAT WE CAN FOR WELFARE OF PRISONERS.

6. WE WILL NOW TURN OUR ATTENTION TO REQUEST (STATE 132092) FOR INFORMATION FROM CHAIRMAN FASCELL. WOULD APPRECIATE CLARIFICATION FOLLOWING:

A) DOES HE WANT REPORT ON EACH CASE OR ONLY THOSE WITH ALLEGATIONS OF MISTREATMENT OR PRESUMED VIOLATION OF BOLIVIAN AND INTERNATIONAL LEGAL REQUIREMENTS?

B) COULD HE OR DEPT PROVIDE US WITH SOME DEFINITION "INTERNATIONAL LEGAL REQUIREMENTS"?

IT WOULD APPEAR THAT IF HE WISHES REPORT EVERY CASE WE WILL NEED SOMETIME TO GET MATERIAL INTO SHAPE FOR TRANS-UNCLASSIFIED

UNCLASSIFIED

PAGE 03 LA PAZ 04478 091650Z

MISSION. WE HAVE TRIED TO KEEP DEPT INFORMED ON EACH CASE AND HAVE SENT TWO GENERAL REPORTS - ONE ON MISTREATMENT (LA PAZ 3850) AND ONE ON HISTORY OF THE PROBLEM. WOULD IT BE POSSIBLE FOR DEPT TO PREPARE PRELIMINARY REPORT WHICH WE COULD REVIEW AND UPDATE? IF NOT, WE WILL UNDERSTAND AND TRY TO AUGMENT OUR CONSULAR RESOURCES WITH A REPORTING OFFICER FROM THE POLITICAL SECTION TO HELP PREPARE INFORMATION.
STEDMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC DISCUSSIONS, PRISONERS, COURT DECISIONS, PRISONERS WELFARE
Control Number: n/a
Copy: SINGLE
Sent Date: 09-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977LAPAZ04478
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770206-0188
Format: TEL
From: LA PAZ
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770674/aaaacmya.tel
Line Count: 106
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ff301782-c288-dd11-92da-001cc4696bcc
Office: ACTION SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 LA PAZ 4289, 77 STATE 132092, 77 LA PAZ 3850
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 07-Apr-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2217003
Secure: OPEN
Status: NATIVE
Subject: AMERICAN PRISONERS
TAGS: CASC, SNAR, CARR, BL, (PEREDA ASBUN, JUAN)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/ff301782-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009